IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS

CHRISTINE V. DOWDING, on behalf of

Plaintiff and a Class,

Case No. 20-CV-4118

Plaintiff,

Hon. Virginia M. Kendall

v.

NATIONWIDE MUTUAL INSURANCE COMPANY,

Defendant.

DEFENDANT NATIONWIDE MUTUAL INSURANCE COMPANY'S MOTION TO STRIKE PLAINTIFF'S CLASS ACTION ALLEGATIONS

Defendant Nationwide Mutual Insurance Company ("Nationwide") hereby moves for an order from the Court to strike Plaintiff Christine V. Dowding's ("Plaintiff") class allegations from the Complaint ("Complaint"), pursuant to Federal Rule of Civil Procedure 12(f), 23(c)(1)(A), and 23(d)(1)(D), on the grounds that Plaintiff cannot satisfy the requirements of Federal Rule of Civil Procedure 23 with respect to the alleged class. This Motion is based upon the accompanying Memorandum in Support, the pleadings and the records on file herein, and on any oral argument or evidence that may be presented at a hearing on this Motion.

Dated: July 20, 2020 Respectfully Submitted,

s/ Jonathan M. Cyrluk

Jonathan M. Cyrluk (ARDC #6210250) Steven C. Moeller (ARDC #6290263) Carpenter Lipps & Leland LLP 180 N. LaSalle Street, Suite 2105 Chicago, IL 60601

Direct: (312) 777-4820 Fax: (312) 777-4839

cyrluk@carpenterlipps.com moeller@carpenterlipps.com

Michael H. Carpenter (*pro hac vice* forthcoming) Carpenter Lipps & Leland LLP 280 Plaza, Suite 1300 280 North High Street Columbus, Ohio 43215 Tel: (614) 365-4100 Fax: (614) 365-9145 carpenter@carpenterlipps.com

Aneca E. Lasley (*pro hac vice* forthcoming) SQUIRE PATTON BOGGS (US) LLP 2000 Huntington Center 41 South High Street Columbus, OH 43215 (614) 365-2700 (Phone) (614) 365-2499 (Fax) Aneca.Lasley@squirepb.com

Petrina A. McDaniel (*pro hac vice* forthcoming) SQUIRE PATTON BOGGS (US) LLP 1230 Peachtree St NE, Suite 1700 Atlanta, Georgia 30309 Phone: 678-272-3207 Petrina.McDaniel@squirepb.com

Attorneys for Defendant Nationwide Mutual Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of July, 2020, a true and correct copy of the foregoing was filed with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to:

Daniel A. Edelman
Cathleen M. Combs
Tara L. Goodwin
Dulijaza (Julie) Clark
Bryan G. Lesser
EDELMAN, COMBS, LATTURNER
& GOODWIN, LLC
20 South Clark Street, Suite 1500
Chicago, IL 60603
(312) 739-4200
Fax: (312) 419-0379
courtecl@cdcombs.com

Patrick Wartan
TAFT, STETTINIUS & HOLLISTER, LLP
111 E. Wacker Drive, Suite 2800
Chicago, IL 60601
(312) 527-4000
Fax: (312) 966-8589
pwartan@taftlaw.com
(e-mailed directly)

William C. Wagner
TAFT, STETTINIUS & HOLLISTER, LLP
One Indiana Square, Suite 3500
Indianapolis, Indiana 46204
(317) 713-3500
Fax: (317) 715-4537
wwagner@taftlaw.com
(e-mailed directly)

Attorneys for Plaintiff Christine V. Dowding

s/ Jonathan M. Cyrluk
Jonathan M. Cyrluk

Attorney for Defendant Nationwide Mutual Insurance Company